

**STANLY COUNTY  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
AUGUST 6, 2012**

**COMMISSIONERS PRESENT:**

Lindsey Dunevant, Chairman  
Gene McIntyre, Vice Chairman  
Tony Dennis  
Jann Lowder  
Josh Morton

**COMMISSIONERS ABSENT:**

None

**STAFF PRESENT:**

Andy Lucas, County Manager  
Jenny Furr, County Attorney  
Tyler Brummitt, Clerk

**CALL TO ORDER**

The Stanly County Board of Commissioners (the "Board") met in regular session on Monday, August 6, 2012 at 7:00 p.m. in the Commissioners Meeting Room, Stanly Commons. Chairman Dunevant called the meeting to order and Commissioner Dennis gave the invocation.

**APPROVAL / ADJUSTMENTS TO THE AGENDA**

There being no adjustments to the agenda, Vice Chairman McIntyre moved to accept the agenda as presented. His motion was seconded by Commissioner Dennis and passed by unanimous vote.

**ITEM # 1 – RETIREMENT AWARDS PRESENTATIONS**

The Board recognized Carolyn Little, Stanly County Tax Administration and Kay Deese, Stanly County Health Department for their many years of service to the citizens of Stanly County.

**ITEM # 2 – HOMES OF HOPE**

**Presenter: Andy Lucas, County Manager**

The County Manager stated he had been contacted by Homes of Hope Director Skeet Ayscue who requested the Board's consideration in donating the county's surplus computers to Homes of Hope. These computers will be given to families entering the Homes of Hope program in order to take on-line personal finance courses, to look for employment and housing, and to

complete homework. According to G. S. 160A-280, a governmental unit can donate surplus items as long as proper notice is provided prior to the adoption of a resolution approving the donation.

Commissioner Lowder moved to table the item until the September 4, 2012 meeting in order to allow more time to direct questions to county staff and the Information Technology Department. The motion was seconded by Vice Chairman McIntyre and passed by unanimous vote.

### **ITEM # 3 – UTILITIES**

**Presenter: Donna Davis, Utilities Director**

#### **A. Award of the Contract for the Carpenter Road Waterline**

The NC DOT is upgrading Carpenter Road and the waterline will have to be relocated to the new right-of-way due to conflict with the road construction. Stanly County Utilities will pay for the relocation because the original waterline was not authorized for installation on NC DOT right-of-way. Based on the bids received on July 18, 2012, it was requested this contract be awarded to the apparent responsive, responsible low bidder RDR, Inc.

By motion, Commissioner Dennis moved to award the contract to RDR, Inc. as recommended by staff. The motion was seconded by Vice Chairman McIntyre and carried by a 5 – 0 vote.

#### **B. Application for the 2012 CDBG Infrastructure Grant Program**

Applications for the 2012 CDBG Infrastructure Grant Program are due to the NC Department of Commerce Division of Community Investment and Assistance between August 31, 2012 - September 14, 2012. Grants of up to \$750,000 will be awarded for selected infrastructure projects based on severity of need, level of readiness, feasibility of project, and commitment of other funds for the project. In addition, the required local match of \$37,500 will be allocated from utility funds. With these funds, approximately 64 households will be served.

Commissioner Lowder moved to approve the submission of an application for the 2012 CDBG Infrastructure Grant Program and was seconded by Commissioner Dennis. The motion passed by unanimous vote.

### **ITEM # 4 – TAX ADMINISTRATION – PRESENTATION OF THE ANNUAL SETTLEMENT REPORT FOR FY 2012**

**Presenter: Melia Miller, Tax Administrator**

The Tax Collector presented the annual settlement report and financial reports which included the collection activity for the current fiscal year. It was requested the Board accept and approve

the annual settlement report and charge the Tax Collector with collecting the FY 2013 taxes.

By motion, Commissioner Dennis moved to accept and approve the annual settlement statement and charge the Tax Collector with the collection of the FY 2013 taxes. The motion was seconded by Vice Chairman McIntyre and passed with a 5 – 0 vote.

#### **ITEM # 5 – HEALTH DEPARTMENT**

**Presenter: Dennis Joyner, Health Director**

##### **A. Budget Amendment # 2013-02 – In-House Physical Therapist Position**

The Stanly County Health Department's Home Health Program requested approval of budget amendment # 2013-02 to transfer funds from Professional Services and Home Health Fund Balance to Salary & Fringe Benefits to support a full-time in in-house salaried physical therapist. In doing this, the majority of the contracted physical therapy services would be moved to the in-house physical therapist which will allow greater flexibility to more efficiently meet the needs of their clients and in addition see more clients which will generate more revenue.

Vice Chairman McIntyre moved to approve budget amendment #2013-02 and was seconded by Commissioner Dennis. The motion carried unanimously.

##### **B. Consideration of the new Stanly County Animal Control Ordinance**

Board consideration was requested in order to establish a public hearing for the new Animal Control Ordinance. With the last revision to the current Animal Control Ordinance taking place in 2001, a new ordinance is needed to better meet the animal control needs of the county. Some of the changes and additions are extensive and include: instituting a civil penalty system for violations of the ordinance; establishing more stringent "dangerous and potentially dangerous" dog requirements; redefining restraint of dogs that does not allow tethering and establishing restrictions on inherently dangerous exotic animals. Due to the scope of these changes and additions, it was requested the Board schedule a public hearing to the new Animal Control Ordinance.

By motion, Commissioner Lowder moved to schedule the public hearing for the September 4, 2012 commissioners meeting. The motion was seconded by Vice Chairman McIntyre and carried with a vote of 5 – 0.

#### **ITEM # 6 – DISCUSSION OF THE SWIFT ISLAND BRIDGE**

**Presenter: Andy Lucas, County Manager**

Earlier in the year, the Board took action to have the NC DOT develop an alternative route to maintain the historical Swift Island Bridge as a bicycle/ pedestrian facility as part of the NC

24/27 road widening project. The alternative route has been designed and the right-of-way cost estimates included for the Board's consideration. After reviewing the right-of-way requirements and fiscal impact, it was requested the Board make a final decision regarding the County's acquisition of the bridge.

By motion, Commissioner Morton moved that the County not take ownership of the bridge. His motion was seconded by Commissioner Lowder and passed by unanimous vote.

#### **ITEM # 7 – “CONNECT OUR FUTURE” MEMORANDUM OF UNDERSTANDING & CONSORTIUM APPOINTMENTS**

**Presenter: Andy Lucas, County Manager**

The Centralina Council of Governments has requested the Board approve the associated memorandum of understanding and appoint members to the Consortium Program Forum and Consortium Policy Forum.

By motion, Vice Chairman McIntyre moved to approve the Memorandum of Understanding for Connect Consortium Membership for Stanly County, NC, and appoint Planning Director Michael Sandy as the primary appointee and County Manager Andy Lucas as the alternate appointee to the Consortium Program Forum. In the same motion, he also moved to approve Chairman Lindsey Dunevant as the primary appointee and Commissioner Tony Dennis as the alternate appointee to the Consortium Policy Forum. The motion was then seconded by Commissioner Lowder and passed by unanimous vote.

#### **CONSENT AGENDA**

**A.** Minutes – June 26, 2012 budget workshop and July 9, 2012 regular meeting minutes

Commissioner Dennis moved to approve the above consent item as presented and was seconded by Vice Chairman McIntyre. The motion carried with a 5 – 0 vote.

#### **PUBLIC COMMENT**

Debra Harvey and Daphne Smith addressed the Board stating the new Animal Control Ordinance needs to provide better protection for its senior citizens from vicious animals and needs to specifically address concerns with large dogs.

Bill Harwood came forward to comment on the special meeting held by the Board on Tuesday, July 31, 2012. Mr. Harwood stated that after the meeting, he did not have any better understanding of either the Alcoa or AltaGas issues that were discussed. He felt a public

comment session during the meeting would have helped those in attendance to better understand the information presented by the Board.

Vanessa Mullinix expressed her concerns stating that no industry will consider coming to Stanly County until the relicensing issue is settled. She also feels that Alcoa is being environmentally responsible for the clean-up of the Badin site and wants to help bring jobs to the site.

Ron Bryant addressed the previous speakers' comments by requesting that supporters of Alcoa go on-line and read about the contamination found at other Alcoa plant sites and reiterated the fact that no jobs have been delivered as promised once Alcoa received the new license to operate its dams at their other locations.

#### **GENERAL COMMENTS & ANNOUNCEMENTS**

Chairman Dunevant welcomed County Attorney Jenny Furr who was absent from the previous meeting due to the birth of her second child.

There were no other comments.

#### **CLOSED SESSION**

Vice Chairman McIntyre moved to recess the meeting into closed session to consult with the County Attorney in accordance with G. S. 143-318.11(a)(3) to discuss the 401 water quality permit intervention and APGI's public records requests lawsuit. The motion was seconded by Commissioner Lowder and passed unanimously at 8:05 p.m.

#### **ADJOURN**

There being no further discussion, Vice Chairman McIntyre moved to adjourn the meeting and was seconded by Commissioner Morton. The motion passed with a 5 – 0 vote at 8:55 p.m.

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**Lindsey Dunevant, Chairman**

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**Tyler Brummitt, Clerk**